(A) Southwestern Bell Mobile Systems



June 17, 1994

Via Airborne 6786735616

Bruce E. Beard Attorney

Mr. William F. Caton Office of the Secretary Federal Communications Commission 1919 M Street, N.W. Stop Code 1170 Washington, D.C. 20554

July 20 1994

FOR MINE BOOM

CC Docket No. 92-115; Filing of Comments of Southwestern Bell Mobile Systems, Inc.

Dear Mr. Caton:

Enclosed for filing in the above referenced proceeding are the original and five copies of the Comments of Southwestern Bell Mobile Systems, Inc. Please file these Comments among the papers in this proceeding.

Please return a file-marked copy of the Comments to me in the enclosed self-addressed stamped envelope.

Thank you for your assistance.

Enclosure

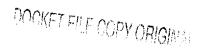
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BEFORE THE FEDERAL COMMUNICATIONS COMMISSION WASHINGTON, D.C.

In the Matter of

\$ CC Docket No. 92-115

Revision of Part 22 of the Commission's \$ Rules Governing the Public Mobile Services \$

SOUTHWESTERN BELL MOBILE SYSTEMS, INC. JUN 201094

Southwestern Bell Mobile Systems, Inc. ("SBMS") COM behalf of itself, its subsidiaries and partnerships, files the following Comments in response to the Federal Communication Commission's (Commission) Further Notice of Proposed Rulemaking in this proceeding:

I. MAP SCALE

The Commission proposes changing the scale of the maps required under Section 22.926 from a scale of 1:250,000 to a scale of 1:500,000. The Commission notes that maps on a scale of 1:500,000 are more readily available and thus revision of the existing rule will not result in additional burdens to any applicant. The change will result in an initial burden on existing licensees that will have to change base maps and system overlays from the old to the new scale. Thus, while SBMS supports the Commission's proposal it believes that any filing deadlines set by the Commission should recognize the initial burden changing to the new scale will have on existing licensees.

¹In the Matter of Part 22 of the Commission's Rules Governing the Public Mobile Service, CC Docket 92-115, Further Notice of Proposed Rulemaking (Released May 20, 1994). (FNPR).

II. ELIMINATION OF LICENSING OF INNER CELL SITES

The Commission proposes to eliminate the listing of internal cell sites on authorizations for existing licensees.² The Commission states that it intends however to maintain accurate, current information for the external cell sites that constitute a system's Cellular Geographic Service Area (CGSA) boundary.³ Thus, the Commission proposes to require all cellular licensees to make a one-time filing of certain information regarding the external cell sites that would assist in updating the Commission databases.

SBMS supports the Commission's proposal regarding the internal cell sites but shares the Commission's concern regarding the burden the one-time filing requirement for external cell sites will have on Commission staff and licensees. In response to the Commission's request for additional proposals, SBMS notes that the burden of the one-time filing would be lessened if the filing were required only for markets where the five year fill-in period had The external cell sites of a market which has not expired. reached the expiration of the five year fill-in period are constantly changing. Thus, the filing for such markets would be quickly out of date and would require supplemental filings. CGSA boundary is primarily relevant to fill-in issues, which do not arise until the expiration of the five year fill-in period. those markets which have not reached the end of the five year fillin period the System Information Update will provide the necessary

²FNPR, para. 7.

³**Id**.

⁴See, <u>FNPR</u>, para. 9.

information -- the one time filing requirement to update the Commission databases should only be required of markets which have reached the five year fill-in period.

The Commission also requests comments on the information they are requiring licensees to submit in the one-time filing. The filing requirements include "the operating and technical parameters for the cell site which is currently required in Table MOB-2 and Table MOB-3 of FCC Form 401" Schedule B. The Commission should clarify whether it wants the actual pages from the Schedule B submitted or wants the information in some other format. SBMS suggests that the actual pages be submitted. SBMS also suggests that the information from Table MOB-2 of FCC Form 401 should not be required in the one-time filing. SBMS submits that Table MOB-2 is unnecessary to the inquiry if the information from Table MOB-3 is included. The Commission is not requiring the Table MOB-2 information for the System Information Update filing and should not require such information for the one-time filing.

SBMS also supports the Commission's proposal to require the information in ascending market order at periodic intervals and the use of information from the Schedule B to lessen the burden of the one-time filing requirement. Licensees should also be given

⁵See, <u>FNPR</u>, para. 7.

⁶The Commission should also clarify how many copies of the technical data must be filed.

⁷See, <u>FNPR</u>, para. 10.

⁸FNPR, para. 9.

90 day intervals to compile and file the information to lessen the burden of the one-time filing requirement.

III. SYSTEM INFORMATION UPDATES

The Commission proposes to change the rules requiring licensees to file certain information 60 days prior to the end of the 5 year fill-in period. The rules require the filing of maps and a current frequency utilization chart which accurately depict the location of each cell site and the coverage of the system at the end of the five year fill-in period. The <u>FNPR</u> proposes to modify the existing rules by changing the scale of the full size map to 1:500,000; to require only the showing of the exterior cell sites; and to require an exhibit showing the coordinates for each exterior cell site and certain information on contained on FCC Form 401 Table MOB-3. The Commission also proposes to eliminate the requirement of a frequency utilization plan or chart.

SBMS supports the Commission's proposals regarding the System Information Update (SIU) requirements. SBMS suggest that the Commission should clarify that when a licensee is filing an SIU for an extension into an adjoining market the information required for the SIU need only be provided for sites that extend into the adjacent market. Otherwise, the filing will be unnecessarily cumbersome, include irrelevant information and thus be contrary to the Commission's goal of streamlining the existing procedures where appropriate.

IV. ADDITIONAL STREAMLINING OPPORTUNITIES

SBMS supports the Commission's goal of streamlining and improving the Commission's existing procedures. SBMS submits that the Commission could further streamline its procedures by expanding its current rule on contract extensions to include small pockets of unserved areas. A licensee wishing to extend into a Phase II unserved area must file a Phase II Unserved Area Application or submit a waiver request of the Unserved Area rules through the FCC Form 401 process. If the adjacent market and the market with the unserved area both agree not to file an Unserved Area Application, it would be simpler for the Commission and the party seeking to serve the area to proceed via a FCC Form 489 filing. Such a filing would be easier to process and would contain all the necessary information.

CONCLUSION

As discussed herein, SBMS supports the Commission's efforts to streamline and improve existing procedures and submits that the suggestions for modifications and clarifications should be followed.

⁹Unserved areas existing after the five year fill in period which are less than 50 square miles or are over 50 square miles but remain unserved for the required period of time. <u>See</u>, 47 CFR 22.902.

Respectfully submitted,

SOUTHWESTERN BELL MOBILE SYSTEMS, INC.

Bv:

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